

Attorney's Docket No.: 10559-197001
Client's Ref. No.: P8369

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Applicant: Rob Sullivan et al. Art Unit : 2681
Serial No.: 09/751,322 Examiner : Sheila B. Smith
Filed: December 29, 2000


Title : ANONYMOUS ELECTRONIC TRANSACTIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attached to this facsimile communication cover sheet is
Brief on Appeal, faxed this 3rd day of March, 2005, to the United
States Patent and Trademark Office.

Respectfully submitted,

Date: March 3, 2005



Scott C. Harris
Reg. No. 32,030

Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Fax: (858) 678-5099

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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BRIEF ON APPEAL

Applicant submits this brief on appeal under rule 41.37.

The sections required by 37 CFR 41.37(c) follow.

(1) Real Party in Interest

The case is assigned of record to Intel Corp., who is hence believed to be the real party in interest.

(2) Related Appeals and Interferences

There are no known related appeals and/or interferences.

(3) Status of Claims

Claims 1-28 are pending. Claims 18-22 are indicated as allowed. The rejection of the remaining claims 1-17 and 23-28 are appealed herein.

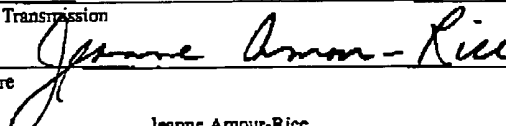
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(4) Status of Amendments

An amendment after final was filed on October 1, 2004. The patent office has made no indication of whether this amendment would be entered.

(5) Summary of Claimed Subject Matter

Claim 1 requires a method in which an electronic order is received from a first party along with information from that first party. See generally, page 4 lines 8-12 and page 6 lines 11-16. The order is then sent to a second party see generally, page 6 line 22. This order passes less information than was received, see generally, page 7 lines 1-2. A voucher is also sent to the second party, see generally page 7 line 13-20.

Claim 7 defines the computer readable medium which stores instructions used to carry out this operation. This includes receiving an electronic transactional order and information about the first party (page 6 lines 11-16), transmitting the order to the second party (page 6 line 22), while passing less information than was received (page 7 lines 1-2) and transmitting a voucher, page 7 lines 13-20.

Claim 13 defines a processor and database shown as 84 and 86, respectively in figure 4. This is also described on page 8 lines 9-22. Claim 13 requires that a processor receive a

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transactional order from the first party and transmit it to a second party see generally, page 8 lines 18-24. Claim 13 also specifies that the database includes information about the first party and directives describing the information to be sent. See page 8 lines 15-17.

Claim 23 defines placing electronic order with a second party on behalf of the first party. This is described page 6 lines 5-21. Information from the first party is provided to the second party, see page 6 line 22. The amount of information which is provided is a function of the consideration that was paid see page 11 lines 11-12.

Claim 26 defines an article which includes placing an electronic order with a second party on behalf of the first party (page 6 lines 5-21), providing information about the first party to the second party (page 6 line 22), and where the amount of information is a function of consideration paid (page 11 lines 11-12).

(6) Grounds of Rejection

There is only one rejection, specifically are claims 1-17 and 23-28 properly rejected under 35 USC 102 as being anticipated by Partos et al.

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(7) Argument

Rejections Under Section 102

Initially, with all due respect, applicants respectfully take the position that the Partos et al. document is not properly prior art, and that the previously filed Rule 131 Declaration establishes this.

There are two independent reasons given by the rejection for failure to accept the Rule 131 Declaration. First, the rejection states that both inventors must sign such a Rule 131 Declaration. With all due respect, this is legally incorrect. A Rule 131 Declaration is provided for evidence of an earlier invention date. It is not an inventor's declaration that requires both inventor signatures. Rather, it is a factual declaration, and as such, could be executed by either inventor or the Assignee, or in fact anyone with personal knowledge of the facts. There is no requirement that both inventors sign such a declaration. Therefore, the rejection based on only one inventor signing the declaration is respectfully traversed.

A second reason for failure to accept the declaration is the contention that the Partos et al. reference claims the rejected "invention". This contention is respectfully traversed. First of all, since Partos et al. is not even patented yet, it is unclear how this rejection could even be

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made. Since Partos et al. is merely an application, at the present moment it claims nothing.

Claim 1 of the present application requires sending an order, receiving information, transmitting the order, transmitting less information than was received, and transmitting a voucher. None of the claims of Partos et al. define that subject matter. Claim 1 of Partos et al. for example, says nothing about a voucher. Claim 7 of Partos et al. says nothing about a voucher. Claim 11 of Partos et al. says nothing about a voucher. Claim 33 of Partos et al. and claim 34 of Partos et al. say nothing about a voucher. Claim 36 of Partos et al. says nothing about a voucher. Claim 38 of Partos et al. says nothing about a voucher. Claim 50 of Partos et al. says nothing about a voucher. All of these claims recite language about removing customer information, but this by itself certainly does not make them the "same invention" as the presently pending claims.

Analogously, the present claim 7 requires a voucher, and Partos et al. does not claim a voucher, see above. Claim 13 requires a database that includes information about the first party and directives describing this information. This is not claimed by Partos et al. Claim 23 and 26 required that the amount of information provided is a function of consideration

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from the second party. Again, this is nowhere claimed by Partos et al.

Therefore, since Partos et al. is not properly prior art, with all due respect, the rejection does not meet the patent office's burden of providing a prima facie showing of unpatentability here. A reversal of the rejection is therefore respectfully requested.

Please charge the brief fee of \$500 to Deposit Account No. 06-1050. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 3/3/05



Scott C. Harris
Reg. No. 32,030

Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Facsimile: (858) 678-5099

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Appendix of Claims

This listing of claims replaces all prior versions, and listings, of claims in the application:

1. A method comprising:
receiving an electronic order from a first party;
receiving information about the first party;
transmitting the order to a second party;
transmitting less information about the first party to the second party than was received; and
transmitting a voucher to the second party.
2. The method of claim 1, further comprising transmitting no information about the first party to the second party.
3. The method of claim 1, further comprising transmitting selected information about the first party to the second party, wherein transmission of the selected information is authorized by the first party.

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4. The method of claim 1, further comprising retrieving information from a database concerning the first party, and selecting information about the first party for transmission to the second party based on the retrieved information.

5. The method of claim 4, wherein retrieving records from a database concerning the first party comprises retrieving directives describing the information to be withheld from the second party.

6. The method of claim 1, wherein receiving information about the first party comprises receiving information about the first party from a subscriber identity module.

7. An article comprising a computer-readable medium which stores computer-executable instructions for receiving and transmitting information, the instructions causing a machine to:

- receive an electronic transactional order from a first party;
- receive information about the first party;
- transmit the order to a second party;
- transmit less information about the first party to the second party than was received; and

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transmit a voucher to the second party.

8. The article of claim 7, the instructions further causing the machine to transmit no information about the first party to the second party.

9. The article of claim 7, the instructions further causing the machine to transmit selected information about the first party to the second party, wherein transmission of the selected information is authorized by the first party.

10. The article of claim 7, the instructions further causing the machine to retrieve information from a database concerning the first party, and select information about the first party for transmission to the second party based on the retrieved information.

11. The article of claim 10 wherein retrieving information from a database concerning the first party comprises retrieving directives describing the information to be withheld from the second party.

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12. The article of claim 7 wherein receiving information about the first party comprises receiving information about the first party from a subscriber identity module.

13. A system comprising:

a processor and a database,

wherein the processor is configured to receive information about a first party, wherein the processor is configured to receive an electronic transactional order from the first party, wherein the processor transmits the order to a second party, and wherein the database includes information about the first party and directives describing the information about the first party to be transmitted to the second party.

14. The system of claim 13 further comprising a communication interface coupled to the processor.

15. The system of claim 14 wherein the processor receives information about the first party and an order from a first party by way of the communication interface.

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16. The system of claim 14 wherein the processor transmits the order to a second party by way of the communication interface.

17. The system of claim 13 wherein the directives describing the information about the first party to be provided to the second party include parameters

defining the information to be provided in exchange for consideration from the second party.

18. A system comprising:

a communication network;

a first party interface coupled to the network;

a second party interface coupled to the network; and

an anonymizer, comprising a processor, a database and a communication interface, the anonymizer coupled to the network by the communication interface,

wherein the anonymizer receives information about a first party, the anonymizer receives an electronic order placed on the network through the first party interface, the anonymizer is configured to transmit the order to the second party interface, and the anonymizer is configured to transmit less information

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about the first party to the second party interface than was received.

19. The system of claim 18 wherein the communication network includes a GSM network.

20. The system of claim 19 wherein the first party interface includes a subscriber identity module, and wherein information about the first party received by the anonymizer is supplied by the subscriber identity module.

21. The system of claim 18 wherein the communication network includes an integrated services digital network.

22. The system of claim 18 wherein the communication network includes a public switched telephone network.

23. A method comprising:
placing an electronic order with a second party on behalf of a first party; and
providing information about the first party to the second party;

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wherein the amount of information provided is a function of consideration from the second party.

24. The method of claim 23 further comprising offering to provide identifying information in exchange for consideration from the second party.

25. The method of claim 23 further comprising:
receiving an offer of consideration from the second party in exchange for providing information about the first party; and
deciding whether the offer is acceptable based upon parameters specified by the first party prior to placing the order.

26. An article comprising a computer-readable medium which stores computer-executable instructions for receiving and transmitting information, the instructions causing a machine to:
place an electronic order with a second party on behalf of a first party; and
provide information about the first party to the second party;

wherein the amount of information provided is a function of consideration from the second party.

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27. The article of claim 26, the instructions further causing the machine to offer to provide identifying information in exchange for consideration from the second party.

28. The article of claim 26, the instructions further causing the machine to:

receive an offer of consideration from the second party in exchange for providing information about the first party; and

decide whether the offer is acceptable based upon parameters specified by the first party prior to placing the order.